

Court Ex #3
7/31/2018 Rm

MKM:NEM
F. #2017R00089

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
----- X

UNITED STATES OF AMERICA

- against -

EDWIN RAMOS PEREIRA,

Defendant.

S U P E R S E D I N G
I N F O R M A T I O N

Cr. No. 17-308 (RRM) (S-1)
(T. 18, U.S.C., §§ 1959(a)(3),
1959(a)(5), 2 and 3551 et seq.)

----- X

THE UNITED STATES ATTORNEY CHARGES:

INTRODUCTION TO ALL COUNTS

At all times relevant to this Information, unless otherwise indicated:

The Enterprise

1. La Mara Salvatrucha, also known as the “MS-13,” (hereinafter the “MS-13” or the “enterprise”) was a transnational criminal organization comprised primarily of immigrants from Central America, with members located throughout Queens, New York, Long Island, New York, and elsewhere, divided into local chapters, or “cliques.”

2. The MS-13 routinely held meetings to plan criminal activity and members paid dues into a treasury. The treasury funds were used to purchase firearms, ammunition and other weapons for use in criminal activity. Additionally, treasury funds were sent to MS-13 gang members in Central America. Members of the MS-13 sometimes signified their membership with the colors of blue and white, and with graffiti and tattoos

reading, among other things, “13,” “MS” and “MARA SALVATRUCHA,” frequently written in gothic lettering.

3. Members of the MS-13 have engaged in acts of violence, including murder, attempted murder, assault, robbery, extortion, witness tampering and witness retaliation, as well as other criminal activity, including narcotics trafficking. Participation in criminal activity by a member, especially violence directed at rival gangs or MS-13 members or associates believed to have violated the gang’s rules, increased the respect accorded to the member and could result in promotion to a leadership position. Members of the MS-13 purchased, maintained and circulated a collection of firearms and other weapons for use in criminal activity.

4. The MS-13, including its leadership, members and associates, constituted an “enterprise” as defined by Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact that was engaged in, and the activities of which affected, interstate and foreign commerce. The enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

5. The MS-13, through its members and associates, engaged in racketeering activity, as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), that is, acts and threats involving murder, robbery and dealing in controlled substances that are chargeable under New York Penal Law and punishable by imprisonment for more than one year, acts indictable under Title 18, United States Code, Section 1512 (witness tampering) and offenses involving narcotics trafficking punishable under Title 21, United States Code, Sections 841 and 846.

Purposes of the Enterprise

6. The purposes of the enterprise included the following:

(a) Promoting and enhancing the prestige, reputation and position of the enterprise with respect to rival criminal organizations.

(b) Preserving and protecting the power, territory and criminal ventures of the enterprise through the use of intimidation, threats of violence and acts of violence, including assault and murder.

(c) Keeping victims and rivals in fear of the enterprise and its members and associates.

(d) Enriching the members and associates of the enterprise through criminal activity, including robbery and narcotics trafficking.

(e) Ensuring discipline within the enterprise and compliance with the enterprise's rules by members and associates through threats of violence and acts of violence.

Means and Methods of the Enterprise

7. Among the means and methods by which members of the MS-13 and their associates conducted and participated in the conduct of the affairs of the enterprise were the following:

(a) Members of the MS-13 and their associates committed, attempted to commit and threatened to commit acts of violence, including murder, attempted murder, robbery and assault, to enhance the enterprise's prestige and protect and expand the enterprise's criminal operations.

(b) Members of the MS-13 and their associates used and threatened to use physical violence against various individuals, including members of rival criminal

organizations and against MS-13 members or associates believed to have violated the enterprise's rules.

(c) Members of the enterprise and their associates used, attempted to use and conspired to use robbery and narcotics trafficking as means of obtaining money.

COUNT ONE
(Assault In-Aid-Of Racketeering)

8. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

9. On or about October 23, 2016, within the Eastern District of New York, the defendant EDWIN RAMOS PEREIRA, together with others, for the purpose of gaining entrance to, and maintaining and increasing position in, the MS-13, an enterprise engaged in racketeering activity, did knowingly and intentionally assault with a dangerous weapon John Doe, an individual whose identity is known to the United States Attorney, in violation of New York Penal Law Sections 120.05(2) and 20.00, and assault John Doe resulting in serious bodily injury, in violation of New York Penal Law Sections 120.05(1) and 20.00.

(Title 18, United States Code, Sections 1959(a)(3), 2 and 3551 et seq.)

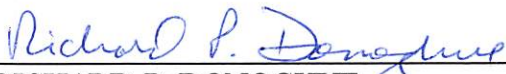
COUNT TWO
(Attempted Murder In-Aid-Of Racketeering)

10. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

11. On or about October 23, 2016, within the Eastern District of New York, the defendant EDWIN RAMOS PEREIRA, together with others, for the purpose of gaining entrance to, and maintaining and increasing position in, the MS-13, an enterprise engaged in

entrance to, and maintaining and increasing position in, the MS-13, an enterprise engaged in racketeering activity, did knowingly and intentionally attempt to murder John Doe, in violation of New York Penal Law Sections 125.25(1), 110.00 and 20.00.

(Title 18, United States Code, Sections 1959(a)(5), 2 and 3551 et seq.)



RICHARD P. DONOGHUE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

F. # 2017R00089
FORM DBD-34
JUN. 85

No. _____

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

EDWIN RAMOS PEREIRA,

Defendant.

INFORMATION

(T. 18, U.S.C., §§ 1959(a)(3), 1959(a)(5), 2 and 3551 et seq.)

A true bill.

Foreperson

Filed in open court this _____ *day,*

of _____ *A.D. 20* _____

Clerk

Bail, \$ _____

Nadia E. Moore, Assistant U.S. Attorney (718) 254-6362